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| WAYNE K. PURCELL, |) | |
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| Plaintiff, |) | |
| |) | |
| Vs. |) | ORDER |
| |) | |
| MISSION HOSPITALS, |) | |
| |) | |
| Defendant. |) | |
| |) | |

When a motion for summary judgment is made and supported as provided in this rule, an adverse party may not rest upon the mere allegations or denials of the adverse party's pleading, but the adverse party's response, by affidavits or as otherwise provided in this rule, must set forth specific facts showing that there is a genuine issue for trial. If the adverse party does not so respond, summary judgment, if appropriate, shall be entered against the adverse party.

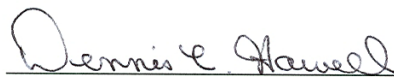
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a form which would otherwise be admissible at trial, i.e., in the form of affidavits or unsworn declarations. An affidavit is a written statement under oath; that is, a statement prepared in writing and sworn before a notary public. An unsworn statement, made and signed under the penalty of perjury, may also be submitted. Affidavits or statements must be presented by plaintiff to this court within fourteen (14) days from the date of this Order and must be filed in duplicate. As stated by Rule 56(e), plaintiff's failure to respond may result in the action being dismissed by way of summary judgment. Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff file his response to defendant's Motion for Summary Judgment (#10) within 14 days of the entry of this Order.

Signed: August 30, 2008

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Dennis L. Howell
United States Magistrate Judge

